

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 290
HOUSE BILL 2577

AN ACT

AMENDING SECTIONS 15-203 AND 15-533, ARIZONA REVISED STATUTES; RELATING TO
TEACHER CERTIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-203, Arizona Revised Statutes, is amended to
3 read:
4 15-203. Powers and duties
5 A. The state board of education shall:
6 1. Exercise general supervision over and regulate the conduct of the
7 public school system and adopt any rules and policies it deems necessary to
8 accomplish this purpose.
9 2. Keep a record of its proceedings.
10 3. Make rules for its own government.
11 4. Determine the policy and work undertaken by it.
12 5. Subject to title 41, chapter 4, article 4, employ staff on the
13 recommendation of the superintendent of public instruction.
14 6. Prescribe the duties of its employees if not prescribed by statute.
15 7. Delegate to the superintendent of public instruction the execution
16 of board policies and rules.
17 8. Recommend to the legislature changes or additions to the statutes
18 pertaining to schools.
19 9. Prepare, publish and distribute reports concerning the educational
20 welfare of this state.
21 10. Prepare a budget for expenditures necessary for proper maintenance
22 of the board and accomplishment of its purposes and present the budget to the
23 legislature.
24 11. Aid in the enforcement of laws relating to schools.
25 12. Prescribe a minimum course of study in the common schools, minimum
26 competency requirements for the promotion of pupils from the third grade and
27 minimum course of study and competency requirements for the promotion of
28 pupils from the eighth grade. The state board of education shall prepare a
29 fiscal impact statement of any proposed changes to the minimum course of
30 study or competency requirements and, on completion, shall send a copy to the
31 director of the joint legislative budget committee and the executive director
32 of the school facilities board. The state board of education shall not adopt
33 any changes in the minimum course of study or competency requirements in
34 effect on July 1, 1998 that will have a fiscal impact on school capital
35 costs.
36 13. Prescribe minimum course of study and competency requirements for
37 the graduation of pupils from high school. The state board of education
38 shall prepare a fiscal impact statement of any proposed changes to the
39 minimum course of study or competency requirements and, on completion, shall
40 send a copy to the director of the joint legislative budget committee and the
41 executive director of the school facilities board. The state board of
42 education shall not adopt any changes in the minimum course of study or
43 competency requirements in effect on July 1, 1998 that will have a fiscal
44 impact on school capital costs.
45 14. Supervise and control the certification of persons engaged in
46 instructional work directly as any classroom, laboratory or other teacher or

1 indirectly as a supervisory teacher, speech therapist, principal or
2 superintendent in a school district, including school district preschool
3 programs, or any other educational institution below the community college,
4 college or university level, and prescribe rules for certification, including
5 rules for certification of teachers who have teaching experience and who are
6 trained in other states, that are not unnecessarily restrictive and are
7 substantially similar to the rules prescribed for the certification of
8 teachers trained in this state. The rules:

9 (a) Shall allow a variety of alternative teacher and administrator
10 preparation programs, with variations in program sequence and design, to
11 apply for program approval. The state board shall adopt rules pursuant to
12 this subdivision designed to allow for a variety of formats and shall not
13 require a prescribed answer or design from the program provider in order to
14 obtain approval from the state board. The state board shall evaluate each
15 program provider based on the program's ability to prepare teachers and
16 administrators and to recruit teachers and administrators with a variety of
17 experiences and talents. The state board shall permit universities under the
18 jurisdiction of the Arizona board of regents, community colleges in this
19 state, private postsecondary institutions licensed by this state, school
20 districts, charter schools and professional organizations to apply for
21 program approval and shall create application procedures and certification
22 criteria that are less restrictive than those for traditional preparation
23 programs. Alternative preparation program graduates shall:

24 (i) Hold a bachelor's degree from an accredited postsecondary
25 education institution.

26 (ii) Demonstrate professional knowledge and subject knowledge
27 proficiency pursuant to section 15-533.

28 (iii) Obtain a fingerprint clearance card pursuant to section 15-534.

29 (iv) Complete training in structured English immersion as prescribed
30 by the state board.

31 (v) Complete training in research based systematic phonics instruction
32 as prescribed in subdivision (b) of this paragraph.

33 (vi) Demonstrate the required proficiency in the Constitutions of the
34 United States and Arizona as prescribed in section 15-532.

35 (b) Shall require applicants for all certificates for common school
36 instruction to complete a minimum of forty-five classroom hours or three
37 college level credit hours, or the equivalent, of training in research-based
38 systematic phonics instruction from a public or private provider.

39 (c) Shall not require a teacher to obtain a master's degree or to take
40 any additional graduate courses as a condition of certification or
41 recertification.

42 (d) Shall allow a general equivalency diploma to be substituted for a
43 high school diploma in the certification of emergency substitute teachers.

44 (e) Shall allow but shall not require the superintendent of a school
45 district to obtain certification from the state board of education.

1 (f) Shall provide for the issuance of a specialized teaching
2 certificate to classroom teachers with expertise in either science,
3 technology, engineering or mathematics. Teachers who are certified pursuant
4 to this subdivision shall complete training in structured English immersion
5 as prescribed by the state board. Teachers who are certified pursuant to
6 this subdivision are exempt from the professional knowledge and subject
7 knowledge proficiency requirements prescribed in section 15-533 and from the
8 proficiency requirements prescribed in section 15-532 on the Constitutions of
9 the United States and Arizona. A teacher who obtains a specialized teaching
10 certificate pursuant to this subdivision may provide instruction in the
11 teacher's field of expertise in grades ~~seven~~ SIX through twelve at any public
12 school in this state. This subdivision does not require a teacher who has
13 obtained another type of teaching certificate from the state board to obtain
14 a specialized teaching certificate pursuant to this subdivision in order to
15 provide instruction in grades ~~seven~~ SIX through twelve in a science,
16 technology, engineering or mathematics course. A classroom teacher is
17 eligible for a specialized teaching certificate pursuant to this subdivision
18 if the teacher meets all of the following requirements:

19 (i) Has taught science, technology, engineering or mathematics courses
20 for the last two consecutive years and for a total of at least three years at
21 one or more regionally or nationally accredited public or private
22 postsecondary institutions. An applicant shall demonstrate compliance with
23 this requirement by providing the state board with written proof of
24 employment for specific durations from one or more qualifying postsecondary
25 institutions.

26 (ii) Has either a baccalaureate degree, a master's degree or a
27 doctorate degree in an academic subject that is specific to science,
28 technology, engineering or mathematics or has obtained a passing score on a
29 statewide educator assessment in science, technology, engineering or
30 mathematics that is recognized by the state board.

31 (iii) Obtains a valid fingerprint clearance card that is issued
32 pursuant to title 41, chapter 12, article 3.1.

33 (g) Notwithstanding section 15-533, may exempt persons applying for a
34 secondary education certificate from the subject knowledge portion of the
35 proficiency examination if the state board determines that the person has
36 work experience in science, technology, engineering or mathematics and can
37 demonstrate adequate knowledge of a particular subject through a
38 postsecondary education degree or twenty-four credit hours of relevant
39 coursework.

40 15. Adopt a list of approved tests for determining special education
41 assistance to gifted pupils as defined in and as provided in chapter 7,
42 article 4.1 of this title. The adopted tests shall provide separate scores
43 for quantitative reasoning, verbal reasoning and nonverbal reasoning and
44 shall be capable of providing reliable and valid scores at the highest ranges
45 of the score distribution.

1 16. Adopt rules governing the methods for the administration of all
2 proficiency examinations.

3 17. Adopt proficiency examinations for its use. The state board of
4 education shall determine the passing score for the proficiency examination.

5 18. Include within its budget the cost of contracting for the purchase,
6 distribution and scoring of the examinations as provided in paragraphs 16 and
7 17 of this subsection.

8 19. Supervise and control the qualifications of professional
9 nonteaching school personnel and prescribe standards relating to
10 qualifications. The standards shall not require the business manager of a
11 school district to obtain certification from the state board of education.

12 20. Impose such disciplinary action, including the issuance of a letter
13 of censure, suspension, suspension with conditions or revocation of a
14 certificate, upon a finding of immoral or unprofessional conduct.

15 21. Establish an assessment, data gathering and reporting system for
16 pupil performance as prescribed in chapter 7, article 3 of this title.

17 22. Adopt a rule to promote braille literacy pursuant to section
18 15-214.

19 23. Adopt rules prescribing procedures for the investigation by the
20 department of education of every written complaint alleging that a
21 certificated person has engaged in immoral conduct.

22 24. For purposes of federal law, serve as the state board for
23 vocational and technological education and meet at least four times each year
24 solely to execute the powers and duties of the state board for vocational and
25 technological education.

26 25. Develop and maintain a handbook for use in the schools of this
27 state that provides guidance for the teaching of moral, civic and ethical
28 education. The handbook shall promote existing curriculum frameworks and
29 shall encourage school districts to recognize moral, civic and ethical values
30 within instructional and programmatic educational development programs for
31 the general purpose of instilling character and ethical principles in pupils
32 in kindergarten programs and grades one through twelve.

33 26. Require pupils to recite the following passage from the declaration
34 of independence for pupils in grades four through six at the commencement of
35 the first class of the day in the schools, except that a pupil shall not be
36 required to participate if the pupil or the pupil's parent or guardian
37 objects:

38 We hold these truths to be self-evident, that all men are
39 created equal, that they are endowed by their creator with
40 certain unalienable rights, that among these are life, liberty
41 and the pursuit of happiness. That to secure these rights,
42 governments are instituted among men, deriving their just powers
43 from the consent of the governed. . . .

44 27. Adopt rules that provide for ~~teacher~~ EDUCATOR certification
45 reciprocity. The rules FOR ISSUANCE OF A COMPARABLE ~~shall provide for a~~
46 ~~one-year~~ reciprocal ~~teaching~~ EDUCATOR certificate ~~with minimum requirements,~~

1 SHALL INCLUDE A REQUIREMENT THAT THE APPLICANT POSSESS A COMPARABLE including
2 valid ~~teacher~~ certification from a ANOTHER state with substantially similar
3 ~~criminal history or teacher fingerprinting requirements and proof of the~~
4 ~~submission of an application for a fingerprint clearance card pursuant to~~
5 ~~title 41, chapter 12, article 3.1. For teachers who provide Arizona online~~
6 ~~instruction pursuant to section 15-808, the rules shall allow automatic~~
7 ~~certification reciprocity with other states that have similar programs.~~

8 28. Adopt rules that provide for the presentation of an honorary high
9 school diploma to a person who has never obtained a high school diploma and
10 who meets both of the following requirements:

11 (a) Currently resides in this state.

12 (b) Provides documented evidence from the Arizona department of
13 veterans' services that the person enlisted in the armed forces of the United
14 States and served in World War I, World War II, the Korean conflict or the
15 Vietnam conflict.

16 29. Cooperate with the Arizona-Mexico commission in the governor's
17 office and with researchers at universities in this state to collect data and
18 conduct projects in the United States and Mexico on issues that are within
19 the scope of the duties of the department of education and that relate to
20 quality of life, trade and economic development in this state in a manner
21 that will help the Arizona-Mexico commission to assess and enhance the
22 economic competitiveness of this state and of the Arizona-Mexico region.

23 30. Adopt rules to define and provide guidance to schools as to the
24 activities that would constitute immoral or unprofessional conduct of
25 certificated persons.

26 31. Adopt guidelines to encourage pupils in grades nine, ten, eleven
27 and twelve to volunteer for twenty hours of community service before
28 graduation from high school. A school district that complies with the
29 guidelines adopted pursuant to this paragraph is not liable for damages
30 resulting from a pupil's participation in community service unless the school
31 district is found to have demonstrated wanton or reckless disregard for the
32 safety of the pupil and other participants in community service. For the
33 purposes of this paragraph, "community service" may include service learning.
34 The guidelines shall include the following:

35 (a) A list of the general categories in which community service may be
36 performed.

37 (b) A description of the methods by which community service will be
38 monitored.

39 (c) A consideration of risk assessment for community service projects.

40 (d) Orientation and notification procedures of community service
41 opportunities for pupils entering grade nine, including the development of a
42 notification form. The notification form shall be signed by the pupil and
43 the pupil's parent or guardian, except that a pupil shall not be required to
44 participate in community service if the parent or guardian notifies the
45 principal of the pupil's school in writing that the parent or guardian does
46 not wish the pupil to participate in community service.

1 (e) Procedures for a pupil in grade nine to prepare a written proposal
2 that outlines the type of community service that the pupil would like to
3 perform and the goals that the pupil hopes to achieve as a result of
4 community service. The pupil's written proposal shall be reviewed by a
5 faculty advisor, a guidance counselor or any other school employee who is
6 designated as the community service program coordinator for that school. The
7 pupil may alter the written proposal at any time before performing community
8 service.

9 (f) Procedures for a faculty advisor, a guidance counselor or any
10 other school employee who is designated as the community service program
11 coordinator to evaluate and certify the completion of community service
12 performed by pupils.

13 32. To facilitate the transfer of military personnel and their
14 dependents to and from the public schools of this state, pursue, in
15 cooperation with the Arizona board of regents, reciprocity agreements with
16 other states concerning the transfer credits for military personnel and their
17 dependents. A reciprocity agreement entered into pursuant to this paragraph
18 shall:

19 (a) Address procedures for each of the following:

20 (i) The transfer of student records.

21 (ii) Awarding credit for completed coursework.

22 (iii) Permitting a student to satisfy the graduation requirements
23 prescribed in section 15-701.01 through the successful performance on
24 comparable exit-level assessment instruments administered in another state.

25 (b) Include appropriate criteria developed by the state board of
26 education and the Arizona board of regents.

27 33. Adopt guidelines that school district governing boards shall use in
28 identifying pupils who are eligible for gifted programs and in providing
29 gifted education programs and services. The state board of education shall
30 adopt any other guidelines and rules that it deems necessary in order to
31 carry out the purposes of chapter 7, article 4.1 of this title.

32 34. For each of the alternative textbook formats of human-voiced audio,
33 large-print and braille, designate alternative media producers to adapt
34 existing standard print textbooks or to provide specialized textbooks, or
35 both, for pupils with disabilities in this state. Each alternative media
36 producer shall be capable of producing alternative textbooks in all relevant
37 subjects in at least one of the alternative textbook formats. The board
38 shall post the designated list of alternative media producers on its website.

39 35. Adopt a list of approved professional development training
40 providers for use by school districts as provided in section 15-107,
41 subsection J. The professional development training providers shall meet the
42 training curriculum requirements determined by the state board of education
43 in at least the areas of school finance, governance, employment, staffing,
44 inventory and human resources, internal controls and procurement.

45 36. Adopt rules to prohibit a person who violates the notification
46 requirements prescribed in section 15-183, subsection C, paragraph 8 or

1 section 15-550, subsection C from certification pursuant to this title until
2 the person is no longer charged or is acquitted of any offenses listed in
3 section 41-1758.03, subsection B. The board shall also adopt rules to
4 prohibit a person who violates the notification requirements, certification
5 surrender requirements or fingerprint clearance card surrender requirements
6 prescribed in section 15-183, subsection C, paragraph 9 or section 15-550,
7 subsection D from certification pursuant to this title for at least ten years
8 after the date of the violation.

9 37. Adopt rules for the alternative certification of teachers of
10 nontraditional foreign languages that allow for the passing of a nationally
11 accredited test to substitute for the education coursework required for
12 certification.

13 38. Adopt and maintain a model framework for a teacher and principal
14 evaluation instrument that includes quantitative data on student academic
15 progress that accounts for between thirty-three ~~per-cent~~ PERCENT and fifty
16 ~~per-cent~~ PERCENT of the evaluation outcomes. ~~On or before December 1, 2012,~~
17 The framework shall include four performance classifications, designated as
18 highly effective, effective, developing and ineffective, and guidelines for
19 school districts and charter schools to use in their evaluation instruments.
20 The state board of education shall adopt best practices for professional
21 development and evaluator training. The state board of education may
22 periodically make adjustments to align the model framework for teacher and
23 principal evaluations with assessment or data changes at the state level.
24 School districts and charter schools shall use an instrument that meets the
25 data requirements established by the state board of education to annually
26 evaluate individual teachers and principals ~~beginning in school year~~
27 ~~2012-2013. By school year 2013-2014,~~ School districts and charter schools
28 shall adopt definitions for the performance classifications adopted by the
29 state board of education in a public meeting and apply the performance
30 classifications to their evaluation instruments in a manner designed to
31 improve principal and teacher performance. For charter holders, the
32 principal evaluation instrument applies to each charter school's
33 instructional leader whose primary responsibility is to oversee the academic
34 performance of the charter school. This paragraph does not apply to an
35 officer, director, member or partner of the charter holder. The school
36 district governing board shall discuss at a public meeting at least annually
37 its aggregate performance classifications of principals and teachers.

38 39. Adopt rules to define competency-based educational pathways for
39 college and career readiness that may be used by schools. The rules shall
40 include the following components:

41 (a) The establishment of learning outcomes that will be expected for
42 students in a particular subject.

43 (b) A process and criteria by which assessments may be identified or
44 established to determine if students have reached the desired competencies in
45 a particular subject.

1 (c) A mechanism to allow pupils in grades seven through twelve who
2 have demonstrated competency in a subject to immediately obtain credit for
3 the mastery of that subject. The rules shall include a list of applicable
4 subjects, including the level of competency required for each subject.

5 40. In consultation with the department of health services, the
6 department of education, medical professionals, school health professionals,
7 school administrators and an organization that represents school nurses in
8 this state, adopt rules on or before January 1, 2014 that prescribe the
9 following for school districts and charter schools:

10 (a) Annual training in the administration of auto-injectable
11 epinephrine, as directed on the prescription protocol, for designated medical
12 and nonmedical school personnel. The annual training prescribed in this
13 subdivision is optional during any fiscal year in which sufficient monies are
14 not appropriated by the legislature during that fiscal year to provide for
15 the purchase of two juvenile doses and two adult doses of auto-injectable
16 epinephrine at each public school in this state and if the school does not
17 stock two juvenile doses and two adult doses of auto-injectable epinephrine
18 at the school during that fiscal year.

19 (b) Annual training for all school site personnel on the recognition
20 of anaphylactic shock symptoms and the procedures to follow when anaphylactic
21 shock occurs, following the national guidelines of the American academy of
22 pediatrics. The annual training prescribed in this subdivision is optional
23 during any fiscal year in which sufficient monies are not appropriated by the
24 legislature during that fiscal year to provide for the purchase of two
25 juvenile doses and two adult doses of auto-injectable epinephrine at each
26 public school in this state and if the school does not stock two juvenile
27 doses and two adult doses of auto-injectable epinephrine at the school during
28 that fiscal year.

29 (c) Procedures for the administration of auto-injectable epinephrine
30 in emergency situations, as directed on the prescription protocol.

31 (d) Procedures for annually requesting a standing order for
32 epinephrine auto-injectors pursuant to section 15-157 from the chief medical
33 officer of the department of health services, the chief medical officer of a
34 county health department, a doctor of medicine licensed pursuant to title 32,
35 chapter 13 or a doctor of osteopathy licensed pursuant to title 32,
36 chapter 17.

37 (e) Procedures for reporting the use of auto-injectable epinephrine to
38 the department of health services.

39 B. The state board of education may:

40 1. Contract.

41 2. Sue and be sued.

42 3. Distribute and score the tests prescribed in chapter 7, article 3
43 of this title.

44 4. Provide for an advisory committee to conduct hearings and
45 screenings to determine whether grounds exist to impose disciplinary action
46 against a certificated person, whether grounds exist to reinstate a revoked

1 or surrendered certificate and whether grounds exist to approve or deny an
2 initial application for certification or a request for renewal of a
3 certificate. The board may delegate its responsibility to conduct hearings
4 and screenings to its advisory committee. Hearings shall be conducted
5 pursuant to title 41, chapter 6, article 6.

6 5. Proceed with the disposal of any complaint requesting disciplinary
7 action or with any disciplinary action against a person holding a certificate
8 as prescribed in subsection A, paragraph 14 of this section after the
9 suspension or expiration of the certificate or surrender of the certificate
10 by the holder.

11 6. Assess costs and reasonable attorney fees against a person who
12 files a frivolous complaint or who files a complaint in bad faith. Costs
13 assessed pursuant to this paragraph shall not exceed the expenses incurred by
14 the state board in the investigation of the complaint.

15 Sec. 2. Section 15-533, Arizona Revised Statutes, is amended to read:

16 15-533. Reciprocity; proficiency examination

17 A. To qualify for either a basic or standard teaching certificate, or
18 equivalent certificate later adopted by the state board of education, a
19 person must pass each component of the proficiency examination developed and
20 administered by the state board of education. The proficiency examination
21 shall consist of only a professional knowledge test and a subject knowledge
22 test. A person is not required to take the examination if the person has
23 passed a proficiency examination adopted by a state agency in another state
24 that is equivalent to the state board of education. A person is not required
25 to take the professional knowledge portion of the examination if the person
26 has been a full-time teacher for at least three years in that same area of
27 certification in which the person is applying for certification in this
28 state. A person is not required to take the subject knowledge portion of the
29 examination if the person has obtained a master's degree in that subject area
30 at an accredited institution of higher education according to an official
31 transcript issued from the institution. A person who obtained structured
32 English immersion training in another state that the state board of education
33 determines is comparable to the structured English immersion training
34 required in this state shall not be required to obtain additional structured
35 English immersion training in this state. The state board of education may
36 grant a basic or standard teaching certificate for ~~not to exceed~~ NOT MORE
37 THAN ~~one year~~ THREE YEARS to a teacher ~~who is a nonresident and~~ who has not
38 met the requirement of this section at the time of application.

39 B. A person is not required to pass the proficiency examination or the
40 equivalent examination more than once. The state board of education may
41 adopt rules to modify the requirements of subsection A OF THIS SECTION for
42 persons who have taught, obtained certification or obtained a master's degree
43 in another country. Notwithstanding any other law, a person who has not
44 taught during the ten years immediately preceding the submission of the
45 application for certification is required to repass the examination.

1 C. A person who is not required to pass the proficiency examination
2 developed and administered in this state by the state board of education
3 pursuant to subsection A or B **OF THIS SECTION** shall only be granted
4 reciprocity for those proficiency examinations required in this state that
5 pertain to the grade levels and content areas that the person is certified to
6 teach in another state.

7 Sec. 3. Emergency

8 This act is an emergency measure that is necessary to preserve the
9 public peace, health or safety and is operative immediately as provided by
10 law.

APPROVED BY THE GOVERNOR APRIL 13, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 14, 2015.